

**U.S. Department of the Interior  
Bureau of Land Management  
Kremmling Field Office  
P O Box 68  
Kremmling, CO 80459**

## **CATEGORICAL EXCLUSION**

**NUMBER: DOI-BLM-LLCON02000-2014-040-CX**

**CASEFILE/PROJECT NUMBER: COC-76657**

**PROJECT NAME: Windfall Films LTD, film permit COC-76657**

**LEGAL DESCRIPTION: T. 3 N., R. 80 W., Section 7, 6<sup>th</sup> P.M.**

**APPLICANT: Windfall Films LTD**

**DESCRIPTION OF PROPOSED ACTION:**

Windfall Films LTD has applied for a filming permit. They would like to film for a new PBS documentary series at the Kremmling Cretaceous Ammonite Site. It is a landmark new three part series, which will focus on the geology and paleontology of North America, with phot-real graphics and location based science. The host is Dr. Kirk Johnson, Director of the Smithsonian National Museum of Natural History.

The series is to explore the history of North America, and this section would look at the inland sea during the cretaceous period, and how we know when it drained away based on the giant ammonite fossils, the best examples of which are found in Kremmling.

They would like to film their host at the location, and also filming high resolution shots for graphics. The host would be walking around, giving short interviews.

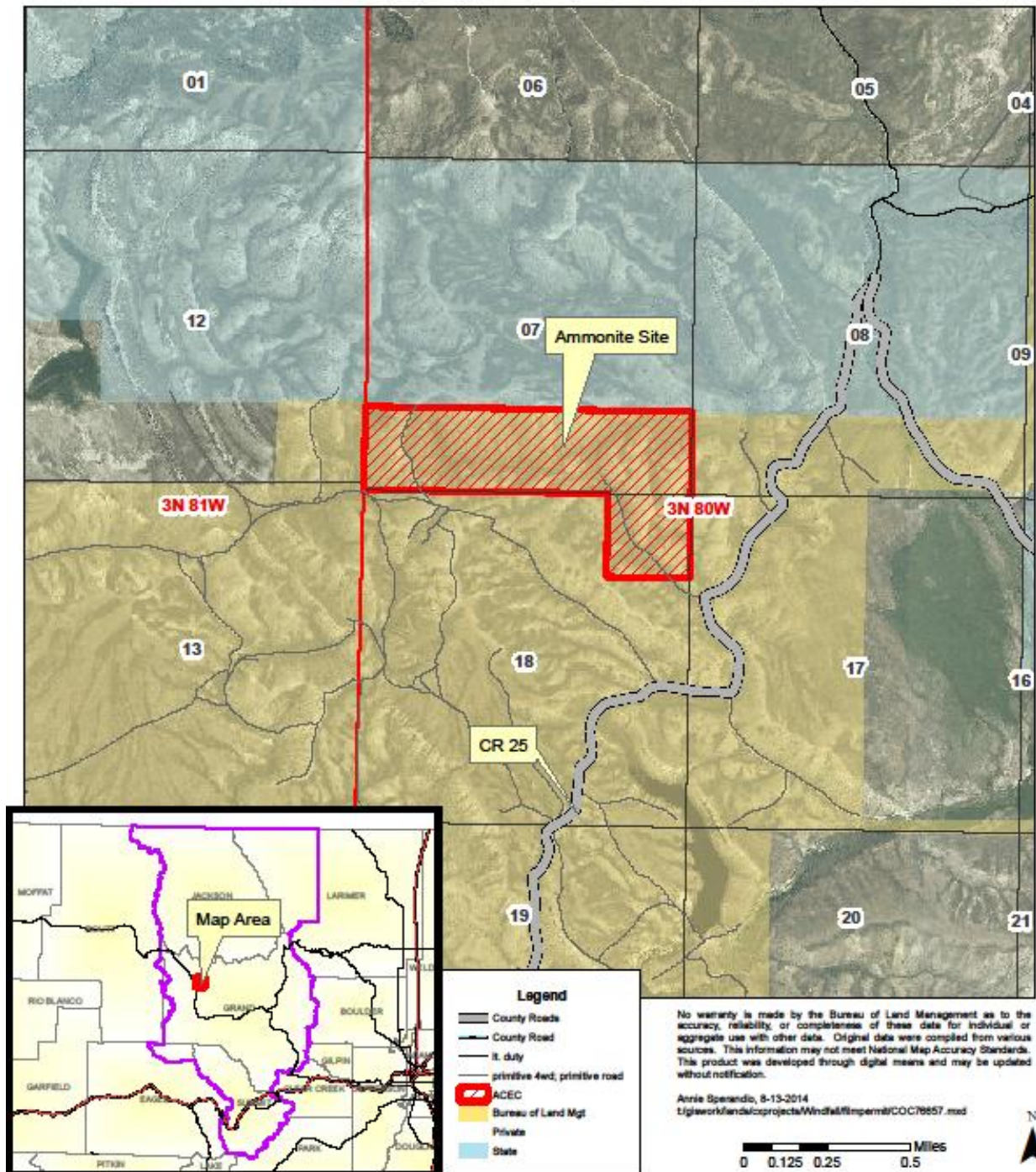
There would be six personnel, three small vehicles, and three handheld cameras, tripods, mini jib, GoPros and sound.

The filming would take one day which will be on August 19 or August 20, 2014, between 6am and 8pm.

**DOI-BLM-LLCON02000-2014-040-CX**



# Windfall Films LTD Film Permit COC-76657



PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Page 14

Decision Language: Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E., (19): Issuance of short-term (3 years or less) rights-of-way of land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposed includes rehabilitation to restore the land to its natural or original condition.

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X

<b>Extraordinary Circumstance</b>	<b>YES</b>	<b>NO</b>
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

**INTERDISCIPLINARY REVIEW:**

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office core interdisciplinary team on 8/13/2014.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Date</b>
Bill Wyatt	Archaeologist	Cultural Resources, Native American Tribal Consultation, Paleontology	8/13/2014
Darren Long	Wildlife Biologist	Special Status Plant/Wildlife Species	8/13/2014
-signed for by Stephanie Odell, Field Manager	Hydrologist	Soil, Air, Water & Riparian Resources	8/14/2014

**REMARKS:**

Cultural Resources: The action is not a Section 106 action of the National Historic Preservation Act (NHPA), State Historic Preservation Officer (SHPO) concurrence is not necessary.

Monitoring of filming activities would be done by the Field Office Archaeologist during filming.

Native American Tribal Consultation: Because the action is not a Section 106 action of the NHPA tribal consultation was not done.

Paleontology: The action would not disturb any fossils located within the KCAL area. Monitoring would be done by the Field Office Archaeologist during filming.

**MITIGATION:** None

COMPLIANCE PLAN: On-going compliance inspections and monitoring would be conducted by the BLM Kremmling Field Office staff during filming. The operator would be notified of compliance related issues in writing, and depending on the nature of the issue(s), would be provided 30 days to resolve such issues.

NAME OF PREPARER: Annie Sperandio

NAME OF ENVIRONMENTAL COORDINATOR: Susan Valente

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(19). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

**SIGNATURE OF AUTHORIZED OFFICIAL:** /s/ Stephanie Odell  
Field Manager

**DATE SIGNED:** 8/14/2014

ATTACHMENTS: Stipulations

**U.S. Department of the Interior, Bureau of Land Management**  
Kremmling Field Office, P O Box 68, Kremmling, CO 80459

**DECISION RECORD**

**PROJECT NAME:** Windfall Films LTD, film permit, COC-76657

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-LLCON02000-2014-040-CX

**DECISION**

It is my decision to implement the Proposed Action, DOI-BLM-LLCON02000-2014-040-CX, authorizing a film permit, COC-76657.

**Mitigation Measures:** None

**COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

**RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(19). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

**ADMINISTRATIVE REMEDIES**

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

**SIGNATURE OF AUTHORIZED OFFICIAL:** /s/ Stephanie Odell  
Field Manager

**DATE SIGNED:** 8/14/2014

STIPULATIONS  
FOR  
COC-76657  
Windfall Films LTD Film Permit

1. All travel off will be on existing roads and trails.
2. All trash will be packed out.
3. Access to and from the site will not occur during periods of wet soil conditions where rutting in excess of 2 inches occurs.
4. The Kremmling Field Office will be notified of any delay or change in dates for the project.
5. The Kremmling Field Office will be notified when filming is complete.
6. Permittee shall own all rights of every kind in and to all photographs and recordings made by it in the park and shall have the right to use such photographs and/or recordings in any manner it may desire without limitation or restriction of any kind.